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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

HENRY SCHEIN, INC.,

Plaintiff,

v.

JENNIFER COOK,

Defendant.

Case No.

**DECLARATION OF TRACY BROWN IN  
SUPPORT OF PLAINTIFF HENRY  
SCHEIN, INC.'S APPLICATION FOR  
TEMPORARY RESTRAINING ORDER;  
MOTION FOR EXPEDITED  
DISCOVERY; AND PRELIMINARY  
INJUNCTION**

Trial Date: None Set

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1 I, Tracy Brown, declare as follows:

2 1. I am employed as a telesales representative of Plaintiff Henry Schein, Inc. ("HSI").  
3 I submit this affidavit in support of the motion of plaintiff HSI for immediate relief. This affidavit  
4 is based on my own personal knowledge, information provided to me by others as described  
5 below, and, where indicated, documents and information from the files of HSI.

6 2. I have been employed by HSI as a telesales associate for several years. In that  
7 capacity, I am responsible for handling the day-to-day needs of HSI customers via telephone,  
8 including but not limited to answering customers' technical questions, taking and entering  
9 customer orders and contacting customers for follow up and sales support.

10 3. I was the telesales associate assigned to the HSI customer accounts of defendant  
11 Jennifer Cook ("Cook") for approximately two years prior to Cook's departure from HSI. In that  
12 capacity I had regular telephone contact with most of Cook's HSI customers and provided sales  
13 support to those customers. I am familiar with these customers.

14 4. Following Cook's resignation from HSI, which I understand was effective as of  
15 May 13, 2016, I have been contacting the customers whom Cook dealt with on behalf of HSI.

16 5. In the course of my discussions with customers, I learned that Cook informed the  
17 offices of at least two of her HSI customers, Dr. Allen Barbieri and Dr. Scott Sullivan, prior to her  
18 departure from HSI, that she would be leaving HSI to join Patterson Dental ("Patterson"), a  
19 competitor of HSI, and that she solicited those customers on behalf of Patterson, while she was  
20 still employed by HSI.

21 6. I was also informed by Dr. Allen Barbieri's office that Cook, prior to her  
22 resignation from HSI, removed HSI materials and HSI contact information from Dr. Barbieri's  
23 office, including: (i) all HSI ordering icons on Dr. Barbieri's computer; (2) all HSI part numbers  
24 from throughout the office (part numbers are used to place orders with HSI, and, without the part  
25 numbers, ordering is cumbersome as someone needs to obtain the part number from a catalog,  
26 online, or otherwise); (3) my business card, which included my contact information; and (4) all  
27 HSI catalogs.  
28

Executed June 8, 2016, at Henry Schein, Reno, NV

Tracy Brown